



# **HCAT Pay Policy**

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# HCAT Pay Policy

## 1. Introduction

- 1.1 This policy has been developed in consultation with Trade Union and Professional Associations who are recognised by HCAT.
- 1.2 The School Teachers' Pay and Conditions Document ("The STPCD") requires HCAT to have a pay policy which sets out the basis on which teachers' pay is determined; the date by which the teachers' annual pay review will be determined; and the procedures for determining appeals. HCAT must stay within the legal framework set out in the STPCD and in other relevant legislation that affects all employers (for example, legislation on equality, employment protection and data protection).
- 1.3 This policy sets out the framework for making decisions on teachers' pay. It has been developed to comply with current legislation and the requirements of the School Teachers' Pay and Conditions Document – **referred to throughout this Policy as the STPCD.**

## 2. Scope

- 2.1 This policy applies to all employees of HCAT (the Trust) including those employed by Academies within the Trust.

## 3. Principles

- 3.1 All procedures for determining pay will be consistent with the principles of public life, these being objectivity, openness and accountability.
- 3.2 All employees will be provided with a job description in accordance with the staffing structure. Job Descriptions may be reviewed from time to time, in consultation with the individual employee concerned, in order to make reasonable changes in light of changing needs of their role.
- 3.3 In adopting this pay policy the aim is to:
  - maximise the quality of teaching and learning throughout the Trust
  - support the recruitment and retention of a high-quality teacher workforce
  - enable the Trust to recognise and reward teachers appropriately for their contribution
  - help to ensure that decisions on pay are managed in a fair, just and transparent way whilst eliminating unnecessary bureaucracy for all concerned.
- 3.4 Appropriate differentials will be maintained between posts within a school, recognising accountability and job weight, and The Trusts need to recruit, retain and motivate sufficient employees of the required quality at all levels.
- 3.5 Criteria for the use of pay discretions are set out in this policy and discretionary awards of additional pay will only be made in accordance with these criteria.
- 3.6 The Board of Trustees has delegated its pay powers to the CEO of the Trust.

## 4. Procedures

- 4.1 The Board of Trustees will determine the annual pay budget on the recommendation of the CEO, considering the STPCD. It will also allocate a percentage of the budget to allow for those teachers who demonstrate practice that is deemed to be exemplary to make more rapid progress up the relevant pay range.
- 4.2 The CEO will be present at board meetings but must withdraw from any part of a meeting where the subject of consideration is their own pay (and/or an external adviser present to advise on CEO salary). Anyone else present must also withdraw where there is a conflict of interest or any doubt about their ability to act impartially.
- 4.3 The current terms of reference are:
- to achieve the aims of the HCAT Pay Policy in a fair and equal manner
  - to apply the criteria set by the HCAT Pay Policy in determining the pay of each member of staff at their annual review
  - to observe all statutory and contractual obligations
  - to recommend to the Board of Trustees the annual budget needed for pay, bearing in mind the need to ensure the availability of monies to support any exercise of pay discretion
  - to keep abreast of relevant developments and to advise the Board of Trustees when the HCAT Pay Policy needs to be revised
  - to work with the CEO in ensuring that the Board of Trustees complies with the Appraisal Regulations 2012 (teachers).

## 5. Pay Reviews

- 5.1 All teaching staff salaries, including those of the CEO, Executive Leaders, Principals, Headteachers, Heads of School, Deputy Head(s) and Assistant Head(s) will be reviewed annually to take effect from 1 September. The Executive Team/CEO will endeavour to complete teachers' annual pay reviews by 31 October, and the Board of Trustees will endeavour to complete the CEO annual pay review by 31 December.
- 5.2 All teachers will be given a written statement setting out their salary and any other financial benefits to which they are entitled.
- 5.3 Reviews may take place at other times of the year to reflect any changes in circumstances or job description that led to a change in the basis for calculating an individual's pay. A written statement will be given after any review and where applicable will give information about the basis on which it was made.
- 5.4 Decisions on the pay of the CEO will be communicated by the Pay Committee, in writing, in accordance with the provisions outlined in the STPCD.
- 5.5 An instruction to amend pay from the relevant date will be issued immediately after the time limit for the lodging of an appeal has passed, or immediately after an appeal has been concluded.
- 5.6 Where a pay determination leads or may lead to the start of a period of safeguarding, the Board of Trustees will comply with the relevant provisions of the STPCD and give the required notification as soon as possible and no later than one month after the date of the determination.

## 6. Pay Decisions

### 6.1 CEO Pay on appointment

- 6.1.1 For appointments on or after 1 September, the Board of Trustees will determine the pay range to be advertised and agree pay on appointment, taking account of the full role of the CEO and considering the growth model of the Multi Academy Trust, alongside the market value and remuneration for the sector. The role of CEO is distinctive from the traditional headteacher role in requiring higher levels of strategic thinking; greater emphasis on coaching, delegating and achieving change through others; and capacity to look outward.
- 6.1.2 Where the CEO is appointed to be responsible for more than one school on a permanent basis, the relevant body must calculate the CEO group by combining the unit score of all the schools for which the CEO is responsible to arrive at a total unit score, which then determines the CEO group. (The unit score is not the sole methodology for calculating the CEO Pay).
- 6.1.3 The Board of Trustees will have regard to the provisions of the STPCD and will also take account of any other permanent payments, made to staff within the MAT schools to ensure that appropriate differentials are created and maintained between posts of differing responsibility and accountability.
- 6.1.4 The Board of Trustees will consider using its discretion, in wholly exceptional circumstances, to exceed the 25% limit on discretionary payments, as set out in the STPCD. However, before agreeing to do so, it will seek the agreement of the full Board of Trustees.

### 6.2 Executive Leader/Principal Pay on appointment

- 6.2.1 For appointments on or after 1 September, the Board of Trustees will determine the pay range to be advertised and agree pay on appointment, taking account of the full role of the Executive Leader/Principal **and the following points in accordance with the provisions of the STPCD:**
- the Pay Committee will review the school's head teacher group and the Individual School Range (ISR).
  - if the Executive Leader/Principal takes on permanent accountability for one or more additional schools, the CEO will set the ISR accordingly.
  - the CEO will also take account of any other permanent payments, made to staff within the school to ensure that appropriate differentials are created and maintained between posts of differing responsibility and accountability.
  - the CEO will exercise their discretion where necessary and pay on any of the bottom four points on the ISR, to secure the appointment of its preferred candidate.
  - the CEO will consider exercising its discretion to award a discretionary payment where they consider the school would have difficulty recruiting to the vacant Executive Leader/Principal post.
  - the CEO will consider the need to award any further discretionary payments to an Executive Leader/Principal.
  - the CEO will consider using their discretion, in wholly exceptional circumstances, to exceed the 25% limit on discretionary payments, as set out in the STPCD. However, before agreeing to do so, they will seek the agreement of the Board of Trustees which in turn will seek external independent advice before providing such agreement.

### 6.3 Serving Executive Leader/Principal

- 6.3.1 The CEO will review the Executive Leader/Principal's pay in accordance with the STPCD and award up to two performance points where there has been a sustained high quality of performance having regard to the results of the most recent appraisal carried out in accordance with the Appraisal Regulations 2012 and any recommendation on pay progression in the Executive Leaders/Principals most recent appraisal report.
- 6.3.2 The CEO may determine the Executive Leaders/Principal ISR, within the group range for the school, as of 1 September or at any time if they consider it is necessary.

- 6.3.3 If the Executive Leader/Principal takes on temporary accountability for one or more additional schools, the pay committee will consider awarding a discretionary payment in accordance with the permanent provisions outlined in the STPCD.
- 6.3.4 The CEO will consider using their discretion in determining the Executive Leader/Principal's pay when circumstances specific to the role or candidate warrant a higher-than-normal payment. They must ensure that the maximum of the Executive Leader/Principal's pay range and any additional payments **do not exceed the maximum of the head teacher group by more than 25% other than in exceptional circumstances**. In such exceptional circumstances the CEO must seek external independent advice before providing such agreement and support their decision with a business case.

#### 6.4 Leadership/Heads of School/Deputy/Associate/Assistant Principals/Head teachers' Pay on appointment

- 6.4.1 The CEO will, when a new appointment needs to be made, determine the pay range to be advertised and agree pay on appointment **as follows in accordance with the provisions of the STPCD**:
- The CEO will determine a pay range, taking account of the role of the Heads of School /Deputy/Assistant Head teacher.
  - The CEO will record their reasons for the determination of the pay ranges.
  - The CEO will exercise their discretion and pay any of the bottom three points on the pay range, to secure the appointment of the preferred candidate.
  - The CEO will exercise their discretion regarding recruitment and retention incentives and benefits where there are recruitment issues.

#### 6.5 Serving Leadership/Heads of School/Deputy/Associate/Assistant Principals/Headteachers

- 6.5.1 The Executive Leader/Principal will review pay in accordance with the provisions of the STPCD and award up to two points where there has been sustained high quality of performance having regard to the results of the recent appraisal, and to any recommendation on pay progression recorded in their most recent appraisal report.
- 6.5.2 The Executive Leader/Principal will review and, if necessary, re-determine their pay range where there has been a significant change in the responsibilities of the serving Leadership/Head of School/Deputy/Associate/Assistant Principals/Head teachers alongside that of any amendments to the Executive Leader/Principal's pay group.

#### 6.6 Acting Allowances

- 6.6.1 Acting allowances are payable to teachers who are assigned and carry out the duties of headteacher, deputy headteacher or assistant headteacher in accordance with the STPCD. The Pay Committee will, within a four-week period of the commencement of acting duties, determine whether the acting postholder will be paid an allowance. In the event of a planned and prolonged absence, an acting allowance will be agreed in advance and paid from the first day of absence.
- 6.6.2 Any teacher who carries out the duties of headteacher, deputy headteacher, or assistant headteacher, for a period of four weeks or more, will be paid at an appropriate point of the head's ISR, deputy head range or assistant head range, as determined by the Pay Committee. Payment will be backdated to the commencement of the duties.

## 6.7 Classroom Teachers Pay on appointment (Main scale)

6.7.1 The Executive Leader/Principal will determine the starting salary of a vacant classroom teacher post on the main pay range or upper pay range, such as they determine, having regard to:

- the requirements of the post
- any specialist knowledge required for the post
- the experience required to undertake the specific duties of the post
- the wider school context

6.7.2 The CEO will, if necessary, use their discretion to award a recruitment incentive benefit to secure the candidate of their choice.

## 6.8 Serving Classroom Teachers Pay (Main scale) effective from 1 September

6.8.1 The Executive Leader/Principal will follow the provisions of the STPCD and award a point on the main scale pay range, unless the teacher has been notified that their service has been unsatisfactory for the previous academic year.

6.8.2 Pay determinations for existing main pay range teachers, effective from **1 September 2025**.

6.8.3 The Pay Committee will use reference points. Therefore, the pay scale for main pay range teachers in this Trust are:

|            |         |
|------------|---------|
| Minimum M1 | £32,916 |
| M2         | £34,822 |
| M3         | £37,101 |
| M4         | £39,555 |
| M5         | £42,056 |
| M6         | £45,350 |

6.8.4 Main Pay Scale (M1 to M6) pay progression will occur automatically one annual point at a time subject to the following exceptions:

- The top of the respective/agreed range has been reached.
- Additional support has been given to enable the teacher to meet the required standard of performance in line with performance management procedures. Discretion can be exercised giving due consideration to the length of time additional support was being provided and the extent and duration of the improvement in performance.
- In the case of early careers teachers (ECT's), arrangements for pay decisions will be made by means of the statutory induction process, including a move to M2 subject to a satisfactory midway assessment. ECT's who successfully complete their induction and gain QTS will progress up the main scale and will progress automatically, subject to the exceptions laid out in this section.

6.8.5 If the evidence shows that a teacher has exceptional performance, the CEO will consider the use of its flexibilities to award enhanced pay progression, up to the maximum of 2 points. Teaching should be consistently 'outstanding', and pupil progress well above national expectations.

6.8.6 Pay progression, whilst automatic in most cases, will be properly rooted in evidence. As a teacher moves up the main pay range, this evidence should show:

- an increasing positive impact on pupil progress
- an increasing impact on wider outcomes for pupils
- improvements in specific elements of practice identified to the teacher, e.g. behaviour management or lesson planning.
- an increasing contribution to the work of the school
- an increasing impact on the effectiveness of staff and colleagues

6.8.7 Further information, including sources of evidence is contained in the Trust's Appraisal policy.

## 7. Applications to be paid on Upper Pay Range

- 7.1 Any qualified teacher can now apply to be paid on the Upper Pay Range. If a teacher is simultaneously employed at another school(s), they may submit separate applications if they wish to apply to be paid on the UPR in that school(s). This school will not be bound by any pay decision made by another school.
- 7.2 If a teacher reached M6 on 1 September 2024 and applies before the 31 October 2025, their applications will be assessed against the Teachers' Standards and the post-threshold standards, having regard to the most recent appraisal reviews.
- 7.3 All applications should include the results of the two most recent appraisals, under the Appraisal Regulations 2012, in this school, including any recommendation on pay. Where such information is not applicable or available, e.g. those returning from maternity or sickness absence, a written statement and summary of evidence designed to demonstrate that the applicant has met the assessment criteria must be submitted by the applicant.
- 7.4 For the assessment to be robust and transparent, it will be an evidence-based process only. Teachers therefore should ensure that they build an evidence base to support their application. Those teachers who are not subject to the Appraisal Regulations 2012, or who have been absent, through sickness, disability or maternity, may cite written evidence from a 3-year period before the date of application in support of their application.

### 7.5 Process:

- 7.5.1 One application may be submitted annually. The closing date for applications is at least 5 days prior to the cut-off date of 31st October each year; however, exceptions will be made in particular circumstances, e.g. those teachers who are on maternity leave or who are currently on sick leave.
- 7.5.2 The process for applications is:
- Complete the school's application form.
  - Submit the application form and supporting evidence to the head teacher before the final date of the appraisal cycle (31st October)
  - Notification of the name of the assessor of the application will be provided within 5 working days.
  - The assessor will assess the application, which will include a recommendation to the CEO.
  - The application, evidence and recommendation will be passed to Executive Leader/Principal for moderation purposes, if the CEO is not the assessor.
  - The Executive Leader/Principal will make the final decision, advised by the Head of School.
  - Teachers will receive written notification of the outcome of their application by 30th November. Where the application is unsuccessful, the written notification will include the areas where it was felt that the teacher's performance did not satisfy the relevant criteria set out in this policy.
  - If requested, oral feedback will be provided by the assessor. Oral feedback will be given within 10 working school days of the date of notification of the outcome of the application. Feedback will be given in a positive and encouraging environment and will include advice and support on areas for improvement to meet the relevant criteria.
  - Successful applicants will move to the minimum of the upper pay range on 1 September that year.

- Unsuccessful applicants can appeal against the decision. The appeals process is set out at the back of this pay policy.

## 7.6 Assessment:

7.6.1 The teacher will be required to meet the criteria set out in the STPCD, and judgements will be made on a range of evidence collated over the previous academic year, namely that:

- the teacher is highly competent against the relevant standards; and
- the teacher's achievements and contribution to the school are substantial and sustained.

7.6.2 In this Trust, this means:

- **"Highly competent"**: the teacher's performance is assessed as having excellent depth and breadth of knowledge, skill and understanding of the Teachers' Standards in the role they are fulfilling and the context in which they are working and have a significant impact on pupils' attainment and progress.
- **"substantial"**: the teacher's achievements and contribution to the school are significant, not just in raising standards of teaching and learning in their own classroom, or with their own groups of children, but also in making a significant wider contribution to school improvement, which impacts on pupil progress and the effectiveness of staff and colleagues.
- **"sustained"**: the teacher must have had two consecutive successful appraisal reports in this school and have made good progress towards their objectives during this period (see exceptions, e.g. maternity/sick leave, in the introduction to this section). They will have been expected to have shown that their teaching expertise has grown over the relevant period and is consistently good with a large proportion of outstanding.

7.6.3 Further information, including information on sources of evidence is contained within the Trusts' Appraisal Policy.

## 8. Upper Pay Range Pay determinations effective from 1 September 2025

|            |         |
|------------|---------|
| Minimum U1 | £47,472 |
| U2         | £49,232 |
| U3         | £51,047 |

8.1 In reaching its decision, the Executive Leader/Principal shall have regard to the results of the teacher's two most recent appraisal reports, including any pay recommendation, when exercising its discretion.

8.2 The Executive Leader/Principal will determine whether there should be any movement on the Upper Pay Range. In making such a determination, it will consider the relevant paragraphs of the STCPD including:

- the evidence base, which should show that the teacher has had a successful appraisal and has made good progress towards objectives
- evidence that the teacher has maintained the criteria set out in the STPCD, namely that the teacher is highly competent against the relevant standards; and that the teacher's achievements and contribution to the school are substantial and sustained. The meaning of these criteria is set out in the section of this policy entitled, "Applications to be paid on the Upper Pay Range".

8.3 Pay progression on the Upper Pay Range will be clearly attributable to the performance of the individual teacher. The Executive Leader/Principal will objectively justify their decisions. Where it is beneficial for both parties, there is the option to move from the upper pay range back to the main pay scale giving the option to be assessed on a lower range of performance criteria. Salary safeguarding would not apply in these circumstances.

- 8.4 Where it is clear that the evidence shows the teacher has made good progress, i.e. they continue to maintain the criteria set out above (see 'Applications to be Paid on the Upper Pay Range'), and have made good progress towards their objectives, the teacher will move to the mid-point on the Upper Pay Range; or if already on the mid-point, will move to the top of the Upper Pay Range.
- 8.5 Where it is clear from the evidence that the teacher's performance is exceptional, in relation to the criteria set out above (see 'Applications to be Paid on the Upper Pay Range'), and where the teacher has met or exceeded their objectives, the CEO will use their flexibility to decide on enhanced progression from the minimum to the maximum of upper pay range. Teaching should be consistently 'outstanding' and pupil progress should be well above national data.

## 9. Unqualified Teachers Pay on Appointment

- 9.1 The Executive Leader/Principal will pay any unqualified teacher in accordance with the provisions contained in the STPCD.
- 9.2 The Executive Leader/Principal will determine where a newly appointed unqualified teacher will enter the scale, having regard to any qualifications or experience they may have, which they consider to be of value. The Executive Leader/Principal will also consider whether it wishes to pay an additional allowance, in accordance with the STPCD.

### 9.3 Pay determinations effective from 1 September

- 9.3.1 The Executive Leader/Principal will follow the provisions of the STPCD and award a point on the unqualified teacher scale unless the teacher has been notified that their service has been unsatisfactory for the previous academic year. The Executive Leader/Principal will normally exercise this discretion in the context of a support plan being in place and/or formal capability proceedings being in place. The Executive Leader/Principal will restore the withheld point at the conclusion of the support plan/capability procedure where acceptable performance has been achieved.
- 9.3.2 To progress up the unqualified teacher range, unqualified teachers will need to show that they have made good progress towards their objectives.
- 9.3.3 Judgments will be properly rooted in evidence. As unqualified teachers move up the scale, this evidence should show:
- an improvement in teaching skills
  - an increasing positive impact on pupil progress.
  - an increasing impact on wider outcomes for pupils
  - improvements in specific elements of practice identified to the teacher.
  - an increasing contribution to the work of the school.
  - an increasing impact on the effectiveness of staff and colleagues
- 9.3.4 Information on sources of evidence is contained within the Trust Appraisal Policy.
- 9.3.5 The Executive Leader/Principal will be advised by the Head of School in making all such decisions. Pay progression on the unqualified teacher range will be clearly attributable to the performance of the individual teacher. The Pay Committee will be able to objectively justify its decisions.

9.3.6 The CEO will use reference points. Therefore, the pay scale for unqualified teachers in this Trust is:

|             |         |
|-------------|---------|
| Minimum UQ1 | £22,600 |
| UQ2         | £25,193 |
| UQ3         | £27,784 |
| UQ4         | £30,070 |
| UQ5         | £32,666 |
| UQ6         | £35,257 |

## 10. Teaching and Learning Responsibility Payments (TLR)

10.1 The Executive Leader/Principal may award a TLR to a classroom teacher in accordance with the provisions set out in the STPCD and the relevant guidance within the Document. TLR 1 or 2 will be for clearly defined and sustained additional responsibility in the context of the schools' staffing structure for the purpose of ensuring the continued delivery of high-quality teaching and learning. All job descriptions will be regularly reviewed and will make clear, if applicable, the responsibility or package of responsibilities for which a TLR is awarded, considering the criterion and factors set out within the STPCD.

10.2 The values below are recommended for 2025/26 and are reviewed each year.

|          |        |          |         |
|----------|--------|----------|---------|
| TLR2 min | £3,527 | TLR1 min | £10,173 |
| TLR2 max | £8,610 | TLR1 max | £17,215 |

10.3 The Executive Leader/Principal may award a TLR3 of between £706 to £3,477 for clearly time-limited school improvement projects, or one-off externally driven responsibilities, or where teachers are undertaking planning, preparation, coordination of, or delivery of tutoring to provide catch-up support to pupils on learning lost, and where that tutoring work is taking place outside of normal directed hours but during the school day. The Executive Leader/Principal will set out in writing to the teacher the duration of the fixed term, and the amount of the award will be paid in monthly instalments. No safeguarding will apply in relation to an award of a TLR3.

## 11. Special Needs Allowance

11.1 The Executive Leader/Principal will award a special educational needs allowance on a range of between £2,786 and £5,496 to any classroom teacher who meets the criteria as set out in the STPCD.

11.2 When deciding on the amount of the allowance to be paid, the Executive Leader/Principal will consider the structure of the school's SEN provision, whether any mandatory qualifications are required for the post, the qualifications or expertise of the teacher relevant to the post, and the relative demands of the post. The Executive Leader/Principal will also establish differential values in relation to SEN roles in the school to reflect significant differences in the nature and challenge of the work entailed so that the different payment levels can be objectively justified.

## 12. Support Staff

12.1 The CEO notes their powers to determine the pay of support staff in accordance with the School Staffing Regulations 2009 and associated guidance. The CEO will determine the pay grade of support staff on appointment in accordance with the scale of grades which the Executive Leader or Principal considers appropriate for the post. In the development of new posts job evaluation will be completed. The CEO/Deputy CEO may from time to time review the scale of grades for support staff if there is a significant change to the role they were initially appointed to. The appeals process is set out in the appendix to this policy.

## 13. Part-time Employees

- 13.1 Teachers: The Executive Leader/Principal will apply the provisions of the STPCD in relation to part-time teachers' pay and working time.
- 13.2 All staff: The Trust will ensure that all part-time employees are treated no less favourably than a full-time comparator.

## 14. Teachers Employed on Short Notice Basis

- 14.1 Such teachers will be paid in accordance with the STPCD.

## 15. Additional Payments

- 15.1 In accordance with the STPCD the CEO may make payments as they see fit to a teacher, including an Executive Leader/Principal/Headteacher/Head of School in respect of:
- continuing professional development undertaken outside the school day
  - activities relating to the provision of initial teacher training as part of the ordinary conduct of the school.
  - participation in out-of-school hours learning activity agreed between the teacher and the CEO/Executive Leader/Principal/Headteacher/Head of School or, in the case of the Headteacher, between the Headteacher and the CEO where appropriate funding is available.
  - additional responsibilities and activities due to, or in respect of, the provisions of services by the CEO/ Executive Leader/Principal/Headteacher/Head of School relating to the raising of educational standards to one or more additional schools (SLE Work).
- 15.2 The CEO will make additional payments to teachers in accordance with the provisions of the STPCD however due to the nature of these additional payments these can be made in retrospect up to a maximum of £1,000.

## 16. Recruitment and Retention Incentive Benefits

- 16.1 The CEO can award lump sum payments, periodic payments, or provide other financial assistance, support or benefits for a recruitment or retention incentive in accordance with the provisions in the STPCD.
- 16.2 The CEO will consider exercising their powers under the relevant paragraph of the STPCD where they consider it is appropriate to do so to recruit or retain relevant staff. They will make clear at the outset, in writing, the expected duration of any such incentive or benefit, and the review date after which they may be withdrawn.
- 16.3 The CEO will, nevertheless, conduct an annual formal review of all such awards.
- 16.4 In relation to the CEO, any 'additional payments' under this section will form part of the 25% limit on the use of all discretions, unless the Board choose to use the 'wholly exceptional circumstances' discretion. The Board will not award a recruitment or retention payment if they have already made any other award under the provisions of the STPCD or have taken such reason (recruitment or retention) into account when determining the individual school range.

## 17. Safeguarding Arrangements

- 17.1 The group of delegated governors/trustees will apply safeguarding arrangements as detailed in the STPCD should the need arise.

## 18. Salary Sacrifice Arrangements

- 18.1 Where the employer operates a salary sacrifice arrangement, an employee may participate in any arrangement and their gross salary shall be reduced accordingly, in accordance with the provisions of the STPCD.

## 19. Review

- 19.1 The Equality Act 2010 requires public bodies, in carrying out their functions, to have due regard to the need to:
- eliminate discrimination and other conduct that is prohibited by the Act.
  - advance equality of opportunity between people who share a protected characteristic and people who do not share it.
  - foster good relations across all characteristics - between people who share a protected characteristic and people who do not share it.
- 19.2 In the development of this policy due regard has been given to achieving these objectives.
- 19.3 This policy will be reviewed to respond to any changes in employment legislation or changes to the STPCD, and at least every three years, in conjunction with the Trust's recognised trade unions.

## Appendices

### 1. Appeals Procedure

- 1.1 The School Teachers' Pay and Conditions Document ("the Document") requires schools and local authorities to have a Pay Policy in place that sets out the basis on which teachers' pay is determined and the procedure for handling appeals.
- 1.2 As part of the overall appraisal process, a pay recommendation is made by the appraiser/reviewer (normally the line manager) and discussed with the teacher at the review meeting prior to being submitted to the Executive Leader or Principal. Written details of and the reasons for the pay recommendation will be given to the teacher.
- 1.3 At this stage of the pay determination process, if the teacher wishes to better understand the rationale for the pay recommendation or bring any further evidence to the attention of the appraiser/reviewer, they should be given the opportunity to do so before the final pay recommendation is drafted in the appraisal report. The nature of any subsequent appraisal and pay discussion will be informal and therefore representation (on either side) is not necessary, nor would it be appropriate. At the conclusion of any further discussion, the pay recommendation may be adjusted, or it may remain the same; the appraisal report will be updated to reflect the discussion.
- 1.4 If a teacher believes that the final pay recommendation falls short of their expectations and they wish to seek a further review of the information that affects their pay, they may wish to formally appeal against the decision, utilising the formal appeal hearing procedure. Appeal hearings against pay decisions must satisfy the dispute resolution requirements of employment law (i.e. Part 4 of the Trade Union and Labour Relations (Consolidation) Act, 1992) and the ACAS Code of Practice.
- 1.5 Referring to section 12.1 of this Policy, the CEO will determine the pay grade of support staff on appointment in accordance with the scale of grades which the Executive Leader or Principal considers appropriate for the post. In the development of new posts job evaluation will be completed. The CEO/Deputy CEO may from time to time review the scale of grades for support staff if there is a significant change to the role they were initially appointed to. Following a period of review, should a member of Support Staff wish to appeal, the appeals process is as per section 2.

### 2. Appeal Hearing Procedure

- 2.1 It is the intention that the Appeals Procedure will be dealt with promptly, thoroughly and impartially.
- 2.2 When a teacher/member of support staff feels that a pay decision is incorrect or unjust, they may appeal against that decision, especially when there is new evidence to consider.
- 2.3 Teachers/Executive Leader/Principal/Headteachers/Head of School/member of support staff should put their appeal in writing to either the Executive Leader/Principal/Headteacher/Head of School or the CEO; their appeal should include sufficient details of its basis.
- 2.4 Appeals should be heard without unreasonable delay and at an agreed date, time and place.
- 2.5 Employees have a statutory right to be accompanied at any stage of an appeal hearing by a companion who may be either a work colleague or a trade union representative.

### 3. Appeal Procedure Steps: Informal Stage – Teaching Staff

- 3.1 As part of the pay determination process, the line manager (“the recommendation provider”) will make a recommendation to the “the decision maker” (the person/s or committee responsible for approving the pay recommendation) supported by relevant assessment evidence. On determining a teacher’s pay, “the decision maker” will write to the teacher advising them of the pay decision, the reasons for it and will, at the same time, confirm their right to appeal the decision to “the decision maker”.
- 3.2 If the teacher wishes to appeal the decision, they must do so in writing to “the decision maker”, normally within 10 working school days or within a mutually agreed alternative timescale. The appeal must include a statement, in sufficient detail, of the grounds of the appeal. If an initial appeal is raised, “the decision maker” must then arrange to meet the teacher to discuss the appeal. “The recommendation provider” should also be invited to the meeting to clarify the basis for the original recommendation.
- 3.3 “The decision maker” will reconsider the decision in private and write to the teacher to notify them of the outcome of the review and of the teacher’s right of appeal to the CEO. If the teacher wishes to exercise their right of appeal, they must write to the CEO at the earliest opportunity and normally within 10 working school days, including a statement of the grounds of the appeal and sufficient details of the facts on which they will rely.
- 3.4 This will invoke the formal stage of the appeal procedure.

### 4. Appeal Procedure Steps: Informal Stage – Support Staff

- 4.1 Following a period of review of the scale of grades for support staff where there has been a significant change to the role a member/members of support staff was/were originally appointed to, if the member of support staff wishes to exercise their right of appeal, they must do so to the Executive Leader or Principal normally within 10 working school days or within a mutually agreed alternative timescale.
- 4.2 The appeal must include a statement, in sufficient detail, of the grounds of the appeal. If an initial appeal is raised, the Executive Leader or Principal must then arrange to meet the member of support staff to discuss the appeal, having due regard to the outcome of the job evaluation and any relevant supporting documentation.
- 4.3 The Executive Leader or Principal will reconsider the decision in private and may arrange for the post to be re-evaluated. They will then write to the member of support staff to notify them of the outcome of the review and of their right of appeal to the CEO. If the member of staff wishes to exercise their right of appeal, they must write to the Executive Leader or Principal at the earliest opportunity and normally within 10 working school days, including a statement of the grounds of the appeal and sufficient details of the facts on which they will rely.

### 5. Appeal Procedure Steps: Formal Stage – Teaching and Support Staff

- 5.1 On receipt of the written appeal, the CEO alongside the Chair of the Board will establish an Appeal Committee that should consist of three Trustees, none of whom are employees in the school or have been previously involved in the relevant pay determination process and convene a meeting of the Appeal Committee at the earliest opportunity and no later than 20 school working days of the date on which the written appeal was received. Both “the recommendation provider” and “the decision maker” will be required to attend the meeting.
- 5.2 The Chair of the Appeal Committee will invite the employee to set out their case. Both “the recommendation maker” and “the decision maker” will also be asked to take the committee through the procedures that were observed in their part of the pay policy determination process.

- 5.3 Following the conclusion of representations by all relevant parties, the Appeal Committee will then consider all the evidence in private and reach a decision. The Appeal Committee will write to the teacher notifying them of their decision and the reasons for it. Other attendees at the meeting will also be notified of the decision. The decision of the Appeal Committee is final.

## 6. The Modified Procedure

- 6.1 There will be no entitlement to invoke the appeal procedure in relation to a pay decision if the teacher/member of support staff has left the employment of the school.
- 6.2 Where a teacher/member of support staff has, whilst employed at the school, lodged an appeal against a pay decision but has then subsequently left the school's employment before any appeal hearing is held, the following steps will be observed:
- The teacher/member of support staff must have set out details of their appeal in writing.
  - The teacher/member of support staff must have sent a copy of their appeal to the Chair of the Board of Trustees.
  - The Chair of the Board will consult with relevant school personnel and provide the teacher/member of support staff with an appropriate written response on behalf of the school.